

IN THE CLAIMS

Please amend claims as follows:

1-8. (Canceled)

9. (Currently amended) A method for a mobile device to provide ~~activating~~ a location-based function ~~in a device based on at least one item of a position data of the device~~, comprising:

monitoring ~~in the device~~ at least one property of the a wireless communication network, determining whether to conduct a positioning of the device based on the at least one property of the wireless communication network, ~~and~~

conducting the positioning to determine the position of the device, and
determining whether to activate the location based function based on at least one item of position data of the device,

wherein the at least one property comprises a signal strength of a base station of said wireless communication network, said signal strength is measured at intervals, and at least information on changes in the signal strength is utilized in determining whether to conduct the positioning, and wherein whether the device is in an area of a cell to which the location based function is connected is determined by a cell identifier, and information on the base station signal strength is used for determining whether to conduct the positioning only when the device is in the area of the cell identified by said cell identifier.

10. (Canceled)

11. (Previously presented) The method according to claim 9, wherein said location based function is an act of presenting a message.

12. (Currently amended) A system comprising

a device and ;
~~a unit for managing a location-based function, in which at least one item of position data is selected for the function as a condition for activating the function,~~
~~a processor for activating the location-based function in the device,~~

a wireless communication network element, wherein the wireless communication network element comprising comprises at least one transmitter for transmission of signals, and

~~a positioning element for determining a location of the device,~~
~~wherein the device comprises:~~

a unit for monitoring at least one property of the wireless communication network, ~~and~~
 a unit for determining whether a positioning of the device should be conducted based on said at least one property of the wireless communication network,

a positioning element for determining a location of the device, and
a processor for managing a location-based function, in which whether to activate the location based function is determined based on at least one item of position data of the device,
 wherein the at least one property comprises a signal strength of a base station of said wireless communication network, said signal strength is measured at intervals, and at least information on changes in the signal strength is utilized in determining whether to conduct the positioning, and wherein whether the device is in an area of a cell to which the location based function is connected is determined by a cell identifier, and information on the base station signal strength is used for determining whether to conduct the positioning only when the device is in the area of the cell identified by said cell identifier.

13. (Canceled)

14. (Currently amended) The system according to claim 12, wherein the unit for monitoring at least one property~~strength of a signal of a base station is arranged to be used as the monitored property, and that the device~~ comprises measurement means for measuring the signal strength of at least two signals received from the base station, and wherein the at least information on a ~~changing change~~ of the signal strength is ~~arranged to be utilized~~used in the determination ~~means unit for said use in~~ determining whether the positioning of the device is~~should be~~ conducted.

15. (Currently amended) A device ~~comprising~~
~~means for selecting providing~~ a location-based function, in which at least one item of position data of the device is determined for the function~~used~~ as a condition for activating the function, said device comprising:

~~means for activating the location-based function in the device,~~

~~means for connecting wireless communication means for setting up a data network connection to a wireless communication network~~ element ~~comprising at least one transmitter for transmission of signals,~~

~~means for monitoring at least one property of the communication network,~~

~~means for determining whether to conduct a positioning of the device based on the at least one property of the communication network,~~

~~means for conducting the positioning to determine the position of the device, and~~

~~means for determining whether to activate the location based function based on at least one item of position data of the device,~~

wherein the at least one property comprises a signal strength of a base station of said wireless communication network, said signal strength is measured at intervals, and at least information on changes in the signal strength is utilized in determining whether to conduct the positioning, and wherein whether the device is in an area of a cell to which the location based function is connected is determined by a cell identifier, and information on the base station signal strength is used for determining whether to conduct the positioning only when the device is in the area of the cell identified by said cell identifier.

16. (Previously presented) The device according to claim 18, wherein it is a wireless communication device.

17. (Currently amended) A program stored on a machine-readable medium for use in a mobile device, comprising: ~~a group of machine-executable program commands for presenting messages in a device, and at least one location-based condition for presenting a message is determined in the message, said program being intended to be executed in a device used in a wireless communication network in which signals are transmitted, the program also comprising machine-executable program commands for monitoring at least one property of the wireless communication network to decide whether a positioning of the device is conducted,~~

instructions for monitoring at least one property of a wireless communication network,

instructions for determining whether to conduct a positioning of the device based on the at least one property of the wireless communication network,

instructions for conducting the positioning to determine the position of the device, and
instructions for determining whether to activate the location based function based on at least one item of position data of the device,

wherein the at least one property comprises a signal strength of a base station of said wireless communication network, said signal strength is measured at intervals, and at least information on changes in the signal strength is utilized in determining whether to conduct the positioning,

and wherein whether the device is in an area of a cell to which the location based function is connected is determined by a cell identifier, and information on changes in the base station signal strength is used for determining whether to conduct the positioning only when the device is in the area of the cell identified by said cell identifier.

18. (Currently amended) A device comprising:

a location-based function, in which at least one item of position data is determined for the function as a condition for activating the function,

a processor for activating the location-based function in the device according to the condition,

a wireless communicating ~~element~~ unit in communication with ~~connecting to~~ a wireless communication network element comprising at least one transmitter for transmission of signals,

a monitor for monitoring at least one property of the wireless communication network,
~~and~~

a determination element for determining whether a positioning of the device is to be conducted based on the monitored property, and

a positioning element for determining the location of the device,
wherein the at least one property comprises a signal strength of a base station of said wireless communication network, said signal strength is measured at intervals, and at least information on changes in the signal strength is utilized in determining whether to conduct the positioning,

and wherein whether the device is in an area of a cell to which the location based function is connected is determined by a cell identifier, and information on the base station signal strength is used for determining whether to conduct the positioning only when the device is in the area of the cell identified by said cell identifier.

19. (Currently amended) The method according to claim 9, wherein said location based function is activated when the determined position of the device corresponds with ~~said~~ at least one item of position data for the function.

20. (Canceled)